

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

YASHIA CULBERSON, INDIVIDUALLY,
AND ON BEHALF OF ALL HEIRS-AT-LAW
AND WRONGFUL DEATH BENEFICIARIES OF
DALE O'NEAL, DECEASED AND THE ESTATE
OF DALE O'NEAL,

PLAINTIFFS

V.

CIVIL ACTION NO: 1:21-CV-114-SA-DAS

CLAY COUNTY, SHERIFF EDIE SCOTT,
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY,
OFFICER TIM TOWNSEND IN HIS INDIVIDUAL
AND OFFICIAL CAPACITY, OFFICER ANNIE
AVANT IN HER INDIVIDUAL AND OFFICIAL
CAPACITY, OFFICER CYNTHIA MYLES IN HER
INDIVIDUAL AND OFFICIAL CAPACITY, AND
OFFICERS AND JAIL EMPLOYEES JOHN AND
JANE DOES 1-5, IN THEIR INDIVIDUAL AND
OFFICIAL CAPACITIES REPRESENTING JAIL
GUARDS OF THE CLAY COUNTY JAIL AND/OR
OTHER EMPLOYEES, INCLUDING SUPERVISORY
OFFICIALS WHOSE IDENTITIES ARE CURRENTLY
UNKNOWN

DEFENDANTS

NOTICE OF APPEAL

All Plaintiffs appeal to the United States Court of Appeals for the Fifth Circuit from the Final Judgment entered on May 10, 2023 (Docket No. 158), which dismissed the Plaintiffs' claims with prejudice, for reasons set forth in the Order and Memorandum Opinion entered May 10, 2023 (Docket No. 157) upon the Defendants' motions for summary judgment.

DATE: June 5, 2023.

Respectfully submitted,

YASHIA CULBERSON, ET AL, PLAINTIFFS

By: /s/ Carlos Moore

Carlos E. Moore, MSB #100685

Derek S. Sells, 8891 (Pro Hac Vice)

THE COCHRAN FIRM -MS DELTA

306 Branscome Drive

P.O. Box 1487

Grenada, MS 38902-1487

662-227-9440 - phone

662-227-9941 - fax

Email: cmoore@cochranfirm.com

THE COCHRAN FIRM, PC

55 Broadway, 23rd Floor

New York, NY 10006

212-553-9215 - phone

212-227-8763 - fax

Email: dsells@cochranfirmny.com

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have this date served via the electronic filing system, a true and correct copy of the above and foregoing to the following:

William R. Allen, Esq.

wallen@aabalegal.com

Lance W. Martin, Esq.

lmartin@aabalegal.com

ALLEN, ALLEN BREELAND & ALLEN

P. O. Box 751

Brookhaven, MS 39601-0751

Attorneys for Def. Clay County, MS;

Sheriff Eddie Scott; & Annie Avant

Daniel J. Griffith, Esq.

dgriffith@jlpalaw.com

JACKS | GRIFFITH | LUCIANO, P.A.

P. O. Box 1209

150 North Sharpe Avenue

Cleveland, MS 3873-1209

Attorney for Cynthia Myles

THIS, the 5th Day of June, 2023.

/s/ Derek S. Sells

CARLOS E. MOORE, ESQ.

DEREK S. SELLS, (*Pro Hac Vice*)